

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:19-cr-00028-MR-WCM-7**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>ELLIOT NORRIS SMITH,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the Court on the Defendant’s “Emergency Motion for Recommendation Regarding Length of RRC Placement” [Doc. 335].

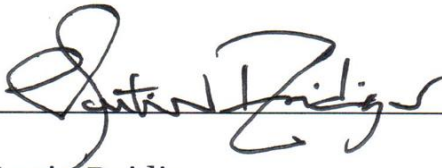
The Defendant moves the Court for a recommendation concerning placement in a residential reentry center (i.e., a halfway house) for the last twelve months of his sentence. [Doc. 335]. The Bureau of Prisons (BOP), not the Court, has the authority to designate the location of an inmate’s place of imprisonment, including his placement at a halfway house or a similar facility. See 18 U.S.C. § 3621(b). Similarly, the discretion to release a prisoner to home confinement lies solely with the Attorney General. See 18

U.S.C. § 3624(c)(2); 34 U.S.C. § 60541(g). Accordingly, the Defendant's request for a recommendation from this Court regarding his placement at a halfway house must be denied.

**IT IS, THEREFORE, ORDERED** that the Defendant's "Emergency Motion for Recommendation Regarding Length of RRC Placement" [Doc. 335] is **DENIED**.

**IT IS SO ORDERED.**

Signed: February 25, 2022

A handwritten signature in black ink, appearing to read "Martin Reidinger", is written over a horizontal line.

Martin Reidinger  
Chief United States District Judge

